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FACSIMILE TRANSMISSIONTO: UNITED STATES PATENT AND TRADEMARK OFFICEFACSIMILE #: (703) 872-9310No. Pages (Including this page) 14 FAX Opr: K. HutchisonIF YOU DO NOT RECEIVE CLEARLY ALL PAGES, PLEASE CONTACT US IMMEDIATELYBy Telephone AT: (703)905-2099 (local)
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USPTO:

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In re PATENT APPLICATION of
Inventor(s) Dederen et al.
Appln. No. 09/865,296

Group Art Unit: 1712
Examiner: Daniel S. Metzmaier

series code ↑ serial no.
Filed: May 29, 2001

Atty. Dkt. PM 0281137
M#

TITLE: Emulsification System and
Emulsions

Date: January 27, 2003

Name or type of signed paper being transmitted:
Amendment

MESSAGE:

**PLEASE DELIVER AMENDMENT TO EXAMINER
METZMAIER AS SOON AS POSSIBLE. THANK YOU.**

(ATTN: Atty/Sec.: Transmit only one paper herewith. For papers not acceptable by fax, see back side or LAN Forms Directory PAT-286 Rear. Do not file originals but fasten them in our file (left side) with this sheet and fax receipt on top. Do NOT send the originals nor a confirmation copy to the PTO.)

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Name Kristi Hutchison Sig. Kristi Hutchison Date January 27, 2003

081903/0281137

C# / M#

Inventor(s): Dederen et al.
Appl. No.: 09 865,296
Series Code ↑ Serial No. ↑

Group Art Unit 1712
Examiner: Daniel S. Metzmaier
Atty. Dkt. P 0281137
M# Client Ref

Filed: May 29, 2001

Hon. Commissioner of Patents
Washington, D.C. 20231

FAX RECEIVED

JAN 31 2003

GROUP 1700

Date: January 27, 2003

Sir:

REPLY/AMENDMENT/LETTER

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated herein by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim		For B & C See Required Separate Paper (Pat-256)		Claims remaining after amendment		Highest number previously paid for		Present Extra		Large/Small Entity		Additional Fee		Fee Code Lg/Sm	
A. <input checked="" type="checkbox"/> NOT made															
B. <input type="checkbox"/> Withdrawn															
C. <input type="checkbox"/> made herewith															
D. <input type="checkbox"/> made previously															
2. Total Effective Claims		48		**minus		42		6		x \$18/\$9 =		+ \$108		103/203	
3. Independent Claims		8		***minus		5		3		x \$84/\$42 =		+ \$252		102/202	
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)										+ \$280/\$140 =		+ \$0		104/204	
5. Original due Date: December 25, 2002				<input type="checkbox"/> NONE											
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo)		\$110/\$55 =						+ \$110				115/215	
		(2 mos)		\$410/\$205 =										116/216	
		(3 mos)		\$930/\$465 =										117/217	
		(4 mos)		\$1,450/\$725 =										118/218	
		(5 mos)		\$1,970/\$985 =										128/228	
7. Enter any previous extension fee paid since above original due date and subtract										- \$0					
8.										Extension Fee		+ \$110			
9. If Terminal Disclaimer attached, add Rule 20(d) official fee										+ \$110/\$55		+ \$0		148/248	
10. If IDS attached requires Official Fee under Rule 97 (c),										+ \$180		+ \$0		126	
or if Rule 97(d) Request										+ \$180				126	
11. After-Final Request Fee per rules 129(a) and 17(r)										+ \$750/370		+ \$0		146/246	
12. No. of additional inventions for examination per Rule 129(b)										x \$750/375 ea		+ \$0		149/249	
13. Request for Continued Examination (RCE)										+ \$750/375		+ \$0		1179/1279	
14. Petition fee for												+ \$0			
15.										TOTAL FEE =		\$470			
16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".															
17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.															
18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.															
												PLEASE CHARGE DEPOSIT ACCOUNT			

CHARGE Deposit Account No. 03-3975

Our Order No. 090128 0281137

C# M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

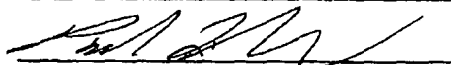
This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

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By Atty: Paul L. Sharer

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

PAT-120 5/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Dederen et al.

Confirmation No. 6264

Application Serial No. 09/865,296

Group Art Unit: 1712

Filed: May 29, 2001

Examiner: Daniel S. Metzmaier

Title: EMULSIFICATION SYSTEMS AND EMULSIONS

AMENDMENT AND RESPONSE

FAX RECEIVED

JAN 31 2003

GROUP 1700

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

In response to the Official Action dated September 25, 2002, please amend the above application as follows, and kindly consider the remarks made herein.

In the Claims

Please cancel Claims 5 and 6 without prejudice or disclaimer.

Please amend the claims as follows:

1. (Twice Amended) A personal care or cosmetic oil-in-water emulsion comprising: at least one oil; water; and an emulsifier stabilizer system composed of
- (a) an oil emulsifier, wherein the emulsifier comprises one or more non-ionic emulsifier(s) selected from the group consisting of alkoxylate emulsifiers, fatty acid esters, ethers, hemi-acetals of polyhydroxylic compounds, acetals of polyhydroxylic compounds, and a fatty acid amide which is N-substituted with the residue of a polyhydroxylic compound, and
- (b) a polysaccharide combination of a Xanthan polysaccharide and a polyglucosaccharide which is present from 0.02 to 0.5% by weight of the emulsion.

02/04/2003 TC01E1 00000002 033975 09865296

01 FC:1251 110.00 CH
02 FC:1201 252.00 CH
03 FC:1202 108.00 CH